

New Battle Lines Are Drawn Over Egg Donation

The issue of whether to pay women to be stem cell research donors has split feminists, causing some to align with Christian conservatives.

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SAN FRANCISCO — Should a woman be allowed to sell her eggs?

The question had never triggered much debate in the private world of fertility medicine, where Ivy League women can earn tens of thousands of dollars per "donation."

But it seems everything about stem cell research is political.

A spirited disagreement over payment has split feminists, with some calling compensation to research subjects coercive and others contending that banning it is paternalistic.

The dispute has prompted some abortion rights organizations to line up on the issue with conservative Christian groups that oppose embryonic stem cell research.

It also has driven a wedge between two historic allies: stem cell scientists and fertility clinics, which have long relied on an open market for egg sales.

The conflict has been building for years. Human eggs are crucial for stem cell research, but harvesting the eggs entails medical risks, some potentially lethal.

Hoping to preempt a controversy, the authors of California's Proposition 71, approved in 2004, declared that scientists who received grants from the \$3-billion state stem cell agency could not pay egg donors but merely reimburse their expenses.

A bill now on Gov. Arnold Schwarzenegger's desk, sponsored by state Sens. Deborah Ortiz (D-Sacramento) and George Runner (R-Lancaster), would extend those payment restrictions to privately funded laboratories.

The Center for Genetics and Society in Oakland and the Pro-Choice Alliance for Responsible Research in Los Angeles are two of the most vocal supporters of

the measure. Both describe themselves as staunchly feminist.

Emily Galpern, reproductive health and human rights director for the Center for Genetics and Society, said she feared that without the legislation, poor and minority women would be exploited for their eggs.

Though the group expresses some concern about exploitation of women who sell their eggs for in vitro fertilization, it notes that these donors tend to be white, well educated and well paid — often \$5,000 to \$50,000 because of the demand for their genetic material.

Stem cell researchers, in contrast, seek eggs only as a vehicle for someone else's DNA — so all viable eggs can be used, regardless of class or race.

That, critics contend, will inherently prompt researchers to turn to poorer women, who may disregard the risks because of their need for cash.

"How much money is enough to coerce a poor woman? And do we up the ante until they bite?" asked Susan Fogel of the Pro-Choice Alliance for Responsible Research.

Even the issue of reimbursing expenses has proved contentious. If a lawyer were compensated \$200 an hour for lost time and a fast-food worker got \$6.75, they asked, would that be fair? And if a standard rate of, say, \$25 an hour were applied, wouldn't that constitute payment to the one who makes minimum wage?

After pointed public debate, the stem cell agency created by Proposition 71 recently decided that women were entitled only to out-of-pocket costs, such as gas money, a restriction mirrored in the Ortiz-Runner bill.

The California Family Council, which is affiliated with the conservative Christian group Focus on the Family, has backed the bill on the grounds that a ban on payments would probably slow down embryonic stem cell research, which the group opposes because it involves the destruction of embryos.

Opponents of the bill, which would also broaden informed-consent requirements, contend that it is paternalistic to assume that women can't make an informed choice on their own.

"I consider myself a feminist," said Pamela Madsen, founder and executive director of the New York-based American Fertility Assn. "I get concerned when some women's groups say, 'Oh no, we have to make these decisions for women.'"

Many researchers find the focus on payment puzzling.

Ann Kiessling, director of the Bedford Stem Cell Research Foundation in Massachusetts, said banning it was no guarantee that women wouldn't be exploited.

"They're only going to be protected by good medical care and fully informed consent," she said. "How well they're cared for is independent of whether they're going to be compensated."

The American Society for Reproductive Medicine recommends paying \$5,000, regardless of whether the eggs are used by scientists or fertility clinics. The group is pressing Schwarzenegger to veto the Ortiz-Runner bill.

"I cannot understand how a person or organization that purports to support a woman's right to make her own reproductive decisions can oppose a woman having the right to receive compensation for the time and trouble she goes through to donate reproductive tissue," said spokesman Sean Tipton.

Other critics say it's illogical to regulate payments to some egg donors but not others.

"Shouldn't we be worried about the women" donating eggs to fertility clinics? asked Radhika Rao, of UC Hastings College of the Law in San Francisco and a member of a state commission that crafted guidelines for stem cell research. "If you pay women a lot and they're white, it isn't exploitation?"

Fertility clinics that have long distanced themselves from the politics of stem cells — while providing unused embryos for research — have grown increasingly uncomfortable.

"The fertility industry really wants to have nothing to do with the stem cell issue," said Harvard Business School professor Debora Spar, who studies the politics of reproductive medicine. "They have been able to operate under the regulatory radar and are perfectly happy that way."

Now, she said, "we're seeing these worlds colliding."

As the Ortiz-Runner bill moved through the state Legislature, the American Society of Reproductive Medicine and the American College of Obstetricians and Gynecologists successfully lobbied to ensure that the restrictions pertained only to research labs, not fertility clinics.

But as the issue grows more polarized, they fear a ban on human egg sales could spill over to the clinics.

"That will be the end of egg donation," Madsen said. "It would be a disaster."

